IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 23480 of 2004

Between:

Smt.K. Chandrakala, W/o Sri K.J. Pratap,
R/o TRT-82, Vidyanagar, Hyderabad-44.

..... PETITIONER

AND

The Additional Commissioner of Labour-cum- Estate Officer (Authority under A.P. Public Premises eviction of illegal occupants) Act, Karmika Bhavan, Ashoknagar, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of Writ of Certiorari and quash the eviction notice Lr.No. H1/TRT-82/VNC, dated 7-8-2004, and pass such other order or further orders.

Counsel for the Petitioner: MR.G.PURUSHOTHAM REDDY

Counsel for the Respondent: GP FOR LABOUR

The Court at the stage of admission made the following ORDER:

The respondent issued a notice dated 07-08-2004 in Form-A to the petitioner directing her to show cause as to why she shall not be evicted from the premises in TRT-82 of Vidyanagar. The petitioner claims to have submitted her explanation in response to the same. She contends that no orders have been passed so far and she is likely to be evicted without consideration of her explanation.

Heard the learned counsel for the petitioner and the learned Government Pleader for Labour.

The respondent had followed the procedure prescribed by law and issued a notice calling upon the petitioner to submit her explanation. The petitioner had since submitted the explanation. There is no reason to believe that the respondent would evict the petitioner without considering her explanation. The very fact that the show cause notice was issued, discloses that further steps would be taken only after passing the final order.

Hence, the writ petition is disposed of directing that further steps against the petitioner shall be taken only after the first respondent passes the order in pursuance of the show cause notice, on consideration of the explanation submitted by the petitioner. There shall be no order as to costs.

_____

16-02-2005

kdl

To

1 The Additional Commissioner of Labour-cum- Estate Officer (Authority under A.P. Public Premises eviction of illegal occupants) Act, Karmika Bhavan, Ashoknagar, Hyderabad.

2 Two C.Cs. to the Government Pleader for Labour, High Court of A.P., Hyderabad, (OUT).

3 Two C.D. Copies.